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*Attorneys for Presidential Financial Corporation.*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>IN RE:</b>	§	
	§	
<b>CONGRESS SAND &amp; GRAVEL, LLC, et al.</b>	§	<b>Case No. 10-37522</b>
	§	
<b>DEBTORS.</b>	§	<b>Chapter 11</b>
	§	<b>(Jointly Administered)</b>
	§	

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**NOTICE OF INCREASED LOAN AMOUNT AND PARTICIPATION**

PLEASE TAKE NOTICE that on December 16, 2010, the United States Bankruptcy Court for the Northern District of Texas entered the *Final Order (1) Authorizing the Debtors to Obtain Post-Petition Financing, Granting Senior Security Interests and According Priority Administrative Expense Status Pursuant to Section 364(c) and 364(d) of the Bankruptcy Code, (2) Authorizing the Use of Cash Collateral, (3) Granting Adequate Protection, and (4) Modifying the Automatic Stay* (the “Financing Order,” Docket No. 143) in the above-captioned bankruptcy case. The Financing Order, among other things, authorized Presidential Financial Corporation (“Presidential”) to extend post-petition financing to the debtors in the above-captioned cases (the “Debtors”) in accordance with a post-petition financing agreement (the “DIP Loan Agreement”). Pursuant to Paragraphs I and 2 of the Financing Order, the Maximum Loan Amount and Aggregate Debt Amount was \$1,750,000. However, the Financing Order provided that

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<sup>1</sup> The Debtors in the above-captioned case include Congress Sand & Gravel, LLC Case No. 10-37522 and Congress Materials, LLC, Case No. 10-37526.

Presidential, in its sole discretion, could increase the Maximum Loan Amount and Aggregate Debt Amount up to \$1,900,000 upon notice filed with the Court and served upon the shortened service list.

PLEASE TAKE FURTHER NOTICE that under the terms of the Financing Order, Presidential gives notice that it has increased the Maximum Loan Amount and as applicable the Aggregate Debt Amount from \$1,750,000 to \$1,835,000.

PLEASE TAKE FURTHER NOTICE that under the terms of the Financing Order, Presidential is authorized to enter into a loan participation agreement with Chiron Equities, LLC, JK Air Investment Group, LLC, Jay Krasoff, or any other affiliates of the same. The current amount of the participation is \$548,970.96. Presidential is amending its loan participation agreement to include Congress Recycled Aggregates, LLC, an affiliate of Chiron Equities, LLC, as a participant and to accept an additional participation of \$85,000.

Dated: July 13, 2011

PATTON BOGGS, LLP

By: /s/ H. Jefferson LeForce  
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**Certificate of Service**

The undersigned hereby certifies that the foregoing was served upon the parties listed below and on the attached service list via first-class mail and on the parties receiving electronic notice via ECF on this 13th day of July, 2011.

Douglas S. Draper  
Heller Draper Hayden Patrick & Horn LLC  
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New Orleans, LA 70130  
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*Counsel for the Debtors  
and Debtors-in-Possession*

Office of the United States Trustee  
1100 Commerce Street  
Room 976  
Dallas, TX 75242  
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Facsimile: 214-767-8971  
Ustpreion06.da.ecf@usdoj.gov

*Office of the United States Trustee*

/s/ H. Jefferson LeForce

## **SERVICE LIST**

**Internal Revenue Service  
Centralized Insolvency Operations  
PO Box 7346  
Philadelphia, PA 19114**

**Eric Holder  
Atty General for the United States  
5137 Robert F. Kennedy Bldg.  
10<sup>th</sup> St. & Constitution Ave NW  
Washington, DC 20532**

**Texas Workforce Commission  
TEC Building - Bankruptcy  
101 East 15<sup>th</sup> St., Suite 540  
Austin, TX 78778**

**Dallas County Tax Assessor  
500 Elm St.  
Dallas, TX 7502**

**Texas Comptroller  
Revenue Accounting Division  
Bankruptcy Section  
PO Box 13528  
Austin, TX 78711**

**Texas Attorney General  
Office of the Attorney General  
PO Box 12548  
Austin, TX 78711-2548**

**United States Attorney's Office  
James T. Jacks  
1100 Commerce St., Third Floor  
Dallas, TX 75242-1699**

**Austin Powder Company  
703 CR 1347  
Chico, TX 76431**

**Brown & Caldwell  
201 East Washington St.  
Phoenix, AZ 85004**

**Citibank  
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Grand Central Station  
New York, NY 10163**

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PO Box 540607  
Dallas, TX 75354**

**GW Van Keppel  
Lock Box 879515  
Kansas City, MO 64187**

**ISSI  
PO Box 798012  
St. Louis, MO 63179**

**JTM Materials  
PO Box 2946  
Denton, TX 76203**

**Mine Safety and Health  
1100 Wilson Blvd.  
Room 2508  
Arlington, VA 23649**

**McCalip & Company, Inc.  
3011 LBJ Fwy, Suite 1212  
Dallas, TX 75234**

**On-Site Fuel  
1080 A Old Fannin Rd  
Brandon, MS 39047**

**Pan America Electric Inc.  
PO Box 359  
Davis, OK 73031**

**Pitney Bowes Global Financial  
PO Box 856460  
Louisville, KY 40285**

**RDO Equipment Co.  
Attn: Duane Hoven  
PO Box 7160  
Fargo, ND 58106**

**Star Tire Company  
10953 Harry Hines Blvd.  
Ft. Worth, TX 7610**

**Sure Tec Bonding  
9737 Great Hills Trail  
Suite 320  
Austin, TX 78759**

**T-K-O Equipment Company  
5005 LBJ Freeway  
Suite 1000  
Dallas, TX 75244**

**Thomas Petroleum  
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**PO Box 469008**  
**Garland, TX 75046**

**General Electric Capital Corp**  
**300 E John Carpenter Frwy**  
**Suite 204**  
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**J&W Sand & Gravel**  
**3224 Bryn Mawr**  
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**Johnson, IA 50131**

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**2412 Cullen St.**  
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**Dallas, TX 75391**

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**Ware's Giant Tire Service**  
**2641 Country Road 615**  
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